28

1 2 3 4 5 6	MARY ANN SMITH Deputy Commissioner SEAN M. ROONEY Assistant Chief Counsel JUDY L. HARTLEY (State Bar No. 110628) Senior Counsel Department of Business Oversight 320 West 4 <sup>th</sup> Street, Ste. 750 Los Angeles, California 90013-2344 Telephone: (213) 576-7604 Facsimile: (213) 576-7181	
7	Attorneys for Complainant	
8	BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT	
9	OF THE STATE OF CALIFORNIA	
10		
11	In the Matter of:	) ESCROW LICENSE NO.: 963-2352
12	THE COMMISSIONER OF BUSINESS	) ) ORDER TERMINATING
13	OVERSIGHT,	) CONSERVATORSHIP PURSUANT TO ) FINANCIAL CODE SECTION 17630
14	Complainant,	)
15	VS.	) )
16	A.C.T. ESCROW, INC.,	)
17		
18	Respondent.	)
19		
20	The Commissioner of Pusiness Oversie	wht finds as follows:
21	The Commissioner of Business Oversight finds as follows:  1. A.C.T. Escrow, Inc., a California corporation (ACT Escrow), was an escrow agent licensed by the Commissioner of Business Oversight (formerly the California Commissioner of Corporations) (Commissioner), pursuant to the Escrow Law of the State of California (Fin. Code § 17000, et seq.).  2. On or about March 7, 2014, the Commissioner appointed Corporations Examiner	
22		
23		
24		
25		
26		
27	Kitlin Chan (Chan) to take possession of the escrow records of ACT Escrow in order that such	
_	escrow records could be maintained for the five year retention period mandated by the Escrow Law.	

28

1

2

3

4 3. The five year retention period for the escrow records of ACT Escrow elapsed on or 5 about December 6, 2016. On or about March 10, 2017, the escrow records for ACT Escrow were 6 destroyed. 7 Now, good cause appearing, IT IS HEREBY ORDERED that: 8 1 The conservatorship over the books and records of ACT Escrow is hereby terminated 9 pursuant to Financial Code Section 17634. 10 2. The Commissioner hereby ratifies those actions taken by the Conservator with respect 11 to the escrow records, and the Conservator, the State of California and each of their respective 12 employees and agents is hereby released from any and all obligations and/or liability arising out of 13 or relating to the conservatorship of ACT Escrow. Dated: March 20, 2017 14 JAN LYNN OWEN Los Angeles, CA 15 Commissioner of Business Oversight 16 By 17 Mary Ann Smith 18 **Deputy Commissioner Enforcement Division** 19 20 21 22 23 24 25 26 27

Jaynes was appointed conservator over the records of ACT Escrow after a receivership action over

Chan took possession of the banking and escrow records of ACT Escrow on or about March 7, 2014.

ACT Escrow had been concluded, but the time period to retain escrow records had yet to elapse.